

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

Brian K. Young and  
Tonya R. Young,

Debtors

)  
)  
)  
)  
)  
)

Case No. 19-70387-JAD

Chapter 13

Doc. # 55

FILED  
12/8/21 10:21 am  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

STIPULATED ORDER MODIFYING PLAN

WHEREAS, this matter is being presented to the Court regarding

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:***

- ☒ a motion to dismiss case or certificate of default requesting dismissal
- ☐ a plan modification sought by: \_\_\_\_\_
- ☐ a motion to lift stay  
as to creditor \_\_\_\_\_
- ☐ Other: \_\_\_\_\_

WHEREAS, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY ORDERED that the

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]***

- ☒ Chapter 13 Plan dated June 27, 2019
- ☐ Amended Chapter 13 Plan dated \_\_\_\_\_

is modified as follows:

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]***

- ☒ Debtor's Plan payments shall be changed from \$ 490.00 to \$565.00, effective December 2021; and/or the Plan term shall remain at 60 months. The Husband-Debtor was off work which caused the Debtors to fall behind in payments.

- ☐ In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- ☐ Debtor(s) shall file and serve \_\_\_\_\_ on or before \_\_\_\_\_.
- ☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- ☐ If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as \_\_\_\_\_ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- ☒ Other: Trustee's Certificate of Default (Doc #52) is resolved by this Order.

**IT IS FURTHER ORDERED** that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

**IT IS FURTHER ORDERED** that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect.

*[Remainder of Page Intentionally Left Blank]*

**SO ORDERED**, this 8th day of December, 2021

A handwritten signature in black ink, appearing to be "JAD", with the initials "jsf" written in a smaller font to the right of the signature.

\_\_\_\_\_  
Jeffery A. Deller  
United States Bankruptcy Judge

Stipulated by:

/s/ Kenneth P. Seitz, Esquire  
Counsel to Debtor

Stipulated by:

/s/ Owen W. Katz, Esquire  
Counsel to Chapter 13 Trustee

Stipulated by:

\_\_\_\_\_  
Counsel to affected creditor

cc: All Parties in Interest to be served by Clerk

In re:  
Brian K Young  
Tonya R Young  
Debtors

Case No. 19-70387-JAD  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-7

User: mgut

Page 1 of 2

Date Rcvd: Dec 08, 2021

Form ID: pdf900

Total Noticed: 21

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 10, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Brian K Young, Tonya R Young, 1 Hope Street, Du Bois, PA 15801-2107
15077606	+ Apex Asset, 2501 Oregon Pike, Lancaster, PA 17601-4890
15077609	+ Cbcs, Po Box 2076, Columbus, OH 43216-2076
15077612	+ First Premier Bank, 601 South Minnesota Aven, Sioux Falls, SD 57104-4868
15077613	+ KML Law Group, P.C., Suite 5000-BNY Independence Center, 701 Market Street, Philadelphia, PA 19106-1541
15184848	New Residential Mortgage LLC, P.O. Box 10826, Greenville, SC 29603-0826
15077615	+ Tbm/total Crd, Po Box 85710, Sioux Falls, SD 57118-5710
15084218	UNITED STATES DEPARTMENT OF EDUCATION, CLAIMS FILING UNIT, PO BOX 8973, MADISON, WI 53708-8973
15077616	+ Us Dept Of Ed/glelsi, Po Box 7860, Madison, WI 53707-7860

TOTAL: 9

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@aisinfo.com	Dec 09 2021 00:11:36	Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/PDF: rmscedi@recoverycorp.com	Dec 09 2021 00:11:28	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15077607	+ Email/PDF: acg.coaf.ebn@aisinfo.com	Dec 09 2021 00:11:28	Capital One Auto Finan, Po Box 259407, Plano, TX 75025-9407
15099545	Email/PDF: AIS.cocard.ebn@aisinfo.com	Dec 09 2021 00:11:28	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15077608	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Dec 09 2021 00:11:35	Capital One Bank Usa N, Po Box 30281, Salt Lake City, UT 84130-0281
15077610	+ Email/Text: electronicbkydocs@nelnet.net	Dec 09 2021 00:00:00	Dept Of Education/neln, Po Box 82561, Lincoln, NE 68501-2561
15077612	+ Email/PDF: ais.fpc.ebn@aisinfo.com	Dec 09 2021 00:11:28	First Premier Bank, 601 South Minnesota Aven, Sioux Falls, SD 57104-4868
15082297	Email/PDF: resurgentbknofications@resurgent.com	Dec 09 2021 00:11:29	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15117262	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Dec 09 2021 00:11:32	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15077614	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Dec 09 2021 00:11:36	Portfolio Recov Assoc, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
15079215	+ Email/PDF: gecsed@recoverycorp.com	Dec 09 2021 00:11:32	Synchrony Bank, c/o of PRA Receivables

District/off: 0315-7

User: mgut

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Date Rcvd: Dec 08, 2021

Form ID: pdf900

Total Noticed: 21

Management, LLC, PO Box 41021, Norfolk, VA  
23541-1021

15087184 + Email/Text: electronicbkydocs@nelnet.net

Dec 09 2021 00:00:00

US Department of Education c/o Nelnet,, 121  
South 13th Street, Suite 201,, Lincoln, NE  
68508-1911

15110576 Email/PDF: ebn\_ais@aisinfo.com

Dec 09 2021 00:11:30

Verizon, by American InfoSource as agent, PO  
Box 4457, Houston, TX 77210-4457

TOTAL: 13

**BYPASSED RECIPIENTS**

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Ditech Financial LLC
cr		New Residential Mortgage LLC
cr		NewRez LLC d/b/a Shellpoint Mortgage Servicing
15118163	##	Ditech Financial LLC, P.O. Box 12740, Tempe, AZ 85284-0046
15077611	##+	Ditech Financial Llc, Po Box 6172, Rapid City, SD 57709-6172

TOTAL: 3 Undeliverable, 0 Duplicate, 2 Out of date forwarding address

**NOTICE CERTIFICATION**

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 10, 2021

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 8, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Ditech Financial LLC bnicholas@kmlawgroup.com
Kenneth P. Seitz	on behalf of Joint Debtor Tonya R Young thedebterasers@aol.com
Kenneth P. Seitz	on behalf of Debtor Brian K Young thedebterasers@aol.com
Office of the United States Trustee	ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

TOTAL: 5